I You # 43 PETITI( N FOR ZONING VARIANCE 8H-107-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a SE/S Flickerwood Rd., 1,860' S of the Centerline of Mount Carmel Rd. : OF BALTIMORE COUNTY Variance from Section \_\_103.3 (1A00.3B.3) to permit side and/or rear yard setbacks 7th District of 20 ft. in lieu of the required 50 ft. CHARLES M. FAMULA, et ux, ZONING DESCRIPTION Beginning on the south-east side of Flickerwood Road (50 feet wide) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) ::::::: at the distance of 1,860 feet south of the centerline of Mount Carmel Road. Being lot 18 in the plat of Flickerwood. Book No. 40 Folio 19. Also known as 16904 Flickerwood Road in the 7th Election District. BALTIMORE COUNTY ORDER TO ENTER APPEARANCE 1) the topography of lot 18 and the surrounding area the overall flood plan of the area Mr. Commissioner: drainage and utilities easement running through lot 18 avoid grading and possible erosion around foundation of dwelling Pursuant to the authority contained in Section 524.1 of the Baltimore County 5) others to be stated at time of hearing ZONING PLANS Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. and of the passage of any preliminary or final Order in connection therewith. ADVISORY COMMITTEE I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property Peter May Tenmer Peter Max Zimmerman which is the subject of this Petition. John W. Hessian, III Deputy People's Counsel People's Counsel for Baltimore County Contract Purchaser: Legal Owner(s): Rm. 223, Court House MAPI XC Charles M. Famula Towson, Maryland 21204 (Type or Print Name) 494-2188 I HEREBY CERTIFY that on this 3rd day of October, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles M. Famula, 44 Kettle Court, Baltimore, MD Ruth P. Famula (Type or Print Name) 21207, Petitioners. tamuli Attorney for Petitioner John W. Hessian, III Baltimore, Maryland PETITION AND SITE PLAN Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.: EVALUATION COMMENTS ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_16th\_\_\_\_\_ day of August 19.83, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of October , 19 83, at 10:00 o'clock \_\_A\_M. Zoning Commissioner of Baltimore County. BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE Arnold Jablon Zoning Commissioner Harry J. Pistel, P. E. Director October 7, 1983 October 14, 1983 Norman E. Gerber, Director September 15, 1983 Office of Planning and Zoning COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. & Mrs. Charles M. Famula Mr. & Mrs. Charles M. Famula 44 Kettle Court Charles M. Famula Baltimore, Maryland 21207 Mr. Armold Jablon 44 Kettle Court 84-107-A Baltimore, Md. 21207 Zoning Commissioner SUBJECT\_ County Office Building Nicholas B. Commodari Towson, Maryland 21204 Chairman RE: Item No. 43 - Case No. 84-107-A Petitioner - Charles M. Famula, et ux Re: Item #43 (1983-1984) Property Owner: Charles M. & Ruth P. Famula There are no comprehensive planning factors requiring comment MEMBERS Variance Petition S/ES Flickerwood Rd., 1860' S. from centerline BALTIMORE COUNTY OFFICE OF PLANNING & ZONING on this petition. Bureau of Dear Mr. & Mrs. Famula: Engineering Mt. Carmel Rd. County Office Building The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure regard to the development plans or problems with this case. The Director of Planning may file a written as to the suitability of the requested zoning. Acres: 250/275 X 424/430 Department of 111 W. Chesapeake Avenue Towson, Maryland 21204 Traffic Engineering District: 7th State Roads Commiss: Dear Mr. Jablon: Bureau of \_\_\_\_\_ Fire Prevention Your petition has been received and accepted for filing this The following comments are furnished in regard to the plat submitted to this 16th day of August, 1983 Director of Planning and Zoning office for review by the Zoning Advisory Committee in connection with the subject Health Department NEG:JGH:cav Project Planning Building Department General: Board of Education Enclosed are all comments submitted from the members of the Committee at this time that offer or request infor-Baltimore County highway and utility improvements are not directly involved Zoning Administration and are as secured by Public Works Agreement 77606, executed in conjunction with the development of Flickerwood, of which this property is a part. mation on your petition. If similar comments from the remaining members are received, I will forward them to you. placed in the hearing file. This petition was accepted for hearing scheduled accordingly. Industrial Development Zoning Commissioner Development of this property through stripping, grading and stabilization Petitioner Charles M. Famula could result in a sediment pollution problem, damaging private and public holdings Petitioner's downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. Chairman, Zoning Plans Advisory Committee The Petitioner must provide necessary drainage facilities (temporary or Very truly yours. permanent) to prevent creating any nuisances or damages to adjacent properties, Nicheles B. Comundari Loe especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. NICHOLAS B. COMMODARI Chairman This office has no further comment in regard to the plan submitted for Zoning Plans Advisory Committee Zoning Advisory Committee review in connection with this Item 43 (1983-1004). NBC:bsc Enclosures HI!-SW Key Sheet 106 & 107 NW 14 & 15 Pos. Sheets NW 27 D Topo 21 Tax Map

result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

September 1, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

Item No. (43) 44, 45, 46, 47, and 48 ZAC - Meeting of August 16, 1983 Property Owner: Location: Existing Zoning: Proposed Zoning:

District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 43, 44, 45, 46, 47, 48.

Traffic Engineer Assoc. II

MSF/ccm

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO Nicholas Commadari, Zoning Date September 21, 1983 FROM C. E. Burnham, Bldg. Plans Review CEB SUBJECT Zoning Advisory Committee
Meeting August 16, 1983

Item #43

Zoning Item # <u>73</u> Page 2

( ) Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.

(X) Soil percolation tests have been conducted. The results are valid until

Revised plans must be submitted prior to approval of the percolation

 ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 (X) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

x) shall be valid until <u>Sert 7 1985</u>
is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit

( ) All roads and parking areas should be surfaced with a dustless, bonding

( ) No health hazards are anticipated.

(x) Others The results of the scil periodation tests conducted on this lot have expired. Price to approval of a Building Permit, additional tecting will be required. The lot is vacant at this time.

BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 15, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: August 16, 1983

RE: Item No: (43) 44, 45, 46, 47, & 48
Property Owner: Present Zoning:

District: No. Acres:

Dear Mr. Hammond:

The above referenced item numbers have no bearing on student population.

Very truly yours) Wm. Nick Petrovich, Assistant Department of Planning

Case No. 84-107-A

IN RE: PETITION ZONING VARIANCES SE/S of Flickerwood Road. 1,860' S of the centerline ZONING COMMISSIONER of Mt. Carmel Road - 7th Election District OF BALTIMORE COUNTY

Charles M. Famula, et ux,

Petitioners # \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF ACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit side and/or rear yard setbacks of 20 feet instead of the required 50 feet. The purpose of their request is to build a new home on the subject property, as more fully described on Petitioners' Exhibit 1.

Petitioner Charles M. Famula appeared and testified. No Protestants appeared. Testimony indicated, and was uncontested, that the property is zoned R.C.2. The Petitioners purchased the property in 1982 and need to obtain variances due to the odd shape of the parcel, as is more fully described on Petitioners' Exhibit 1. The house the Petitioners intend to build, and in which they will reside, would require 20-foot side and/or rear yard setbacks. Although they can build a home which will comply with requisite zoning dimensions, the Petitioner testified that to the shape and topography, the variances are required. A smaller home apparent fwould not complement or be in harmony with the neighborhood or satisfy the need of the Petitioners' family.

The topography of the parcel, which slopes from front to back at a 25° angle and pre, the overall flood plain of the area, the drainage and utilities easement runhang through the parcel, and the placement of the septic system, all mitigate inst placement of the house other than where the Petitioners intend, which is ward the front of the property.

-cpt. 9,1983

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 43, Zoning Advisory Committee Meeting of Aug. 16, 1983 Property Owner: Charles M. + Ruth P. Famula

Location: SE/s Flickerwood Road District 7

Water Supply \_\_\_\_\_ Sewage Disposal \_\_\_\_\_ Private\_\_\_\_

COMMENTS ARE AS FOLLOWS: ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins.

( ) A rermit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Section, Environmental Support Services, for final review and approval.

( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information. contact the Recreational Hygiene Section, Division of Environmental Support

( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Other homes in the area have received similar variances for similar reasons.

The Petitioners seek relief from Section 103.3 (1A00.3B.3.), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficul-

ty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

> 2. whether the grant would do substantial injustice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured,

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations,

, and would not result in substantial detriment to the public good. [After due consideration of the testimony and evidence presented, it is

hat a practical difficulty or unreasonable hardship would result if the variances were not to be granted. It has been established that the requirements the Petitioners seek relief from here would unduly restrict the the land due to the special conditions unique to this particular In addition, the variances requested will not be detrimental to the

publ health, safety, and general welfare. Pursuant to the advertisement, posting of the property, and public

- 2 -

hering on this Petition held, and for the reasons above given, the variances

requested should be granted.

September 23, 1983 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON MARY AND COOK PETITION FOR VARIANCE Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, 7th Election District Mr. & Mrs. Charles M. Famula this \_\_\_\_\_ day of October, 1983, that the Petition for Variances to per-44 Kettle Court Petition for Variance ZONING: Baltimore, Maryland 21207 mit a side yard setback of 20 feet and, if necessary, a rear yard setback of ARNOLD JABLON ZONING COMMISSIONER October 24, 1983 LOCATION: Southeast side Flickerwood Road, 1,860 ft. South of NOTICE OF HEARING 20 feet, both in lieu of the required 50 feet be and is hereby GRANTED, from centerline of Mount Carmel Road Re: Petition for Variance and after the date of this Order, subject, however, to the following restric-SE/S Flickerwood Rd., 1,860' S of DATE & TIME: Thursday. October 20, 1983 at 10:00 A.M. the c/l of Mt. Carmel Road Charles M. Famula, et ux - Petitioners PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Case No. 84-107-A 1. The Petitioners may apply for their building Avenue, Towson, Maryland permit, and be granted same upon receipt of this Order: however, Petitioners are hereby made aware Mr. & Mrs. Charles M. Famula TIME: 10:00 A.M. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act 44 Kettle Court that their proceeding at this time is at their own and Regulations of Baltimore County, will hold a public hearing: Baltimore, Maryland 21207 risk until such time as the appellate process from DATE: Thursday, October 20, 1983 this Order has expired. If, for whatever reason, IN RE: Petition Zoning Variances this Order is reversed, the Petitioners would be Petition for Variance to permit side and/or rear yard setbacks SE/S of Flickerwood Road, 1,860' PLACE: Room 106, County Office Building, 111 West Chesapeake required to return, and be responsible for of 20 ft. in lieu of the required 50 ft. S of the centerline of Mt. Carreturning, said property to its original mel Road - 7th Election District The Zoning Regulation to be excepted as follows: Avenue, Towson, Maryland Charles M. Famula, et ux, Section 103.3 (1A00.3B.3) - side and rear yard setbacks in R.C. 2 (R.D.P.) zone Petitioners 2. A revised site plan, showing the proposed house with Case No. 84-107-A specified setbacks, shall be submitted for approval All that parcel of land in the Seventh District of Baltimore County to the Office of Planning and Zoning. Dear Mr. & Mrs. Famula: I have this date passed my Order in the above-referenced matter in accordance with the attached. ARNOLD JARLON Zoning Commissioner of Baltimore County Attachments BALTIMORE COUNTY, MARYLAND No. 119437 OFFICE OF FINANCE - REVENUE DIVISION Being the property of Charles M. Famula, et ux, as shown on plat plan filed with cc: John W. Hessian, III, Esquire MISCELLANEOUS CASH RECEIPT the Zoning Department. People's Counsel DATE 6-1-82 ACCOUNT 1-01-615-600 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. FOR The Coch it day Ford BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER - C 115\*\*\*\*\*350CID 8028A OF BALTIMORE COUNTY - 3 -VALIDATION OR SIGNATURE OF CASHIER L53999 p.67 CATTFICATE OF PUBLICATION PETITION FOR VARIANCE BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 ZONING: Petition for Variance LOCATION: Southeast side Flicker-wood Road, 1,860 ft. South of centerline of Mount Carmel Road DATE & TIME: Thursday, Octo-ber 20, 1982 at 10:00 A.M. CERTIFICATE OF PUBLICATION PUBLIC HEARING: Room 108.
County Office Building, 111 W
Chesapeake Avenue, Towson
Maryland THIS IS TO CERTIFY, that the annexed ARNOLD JABLON ZONING COMMISSIONER TOWSON, MD., September 29, 19 83 Carmel Road
DATE & TIME: Thursday, October 20, 1963
at 10:00 AM
PUBLIC HEARING: Room 168, County Office
Building, 111 W. Chesapeake Avenue,
Towson, Maryland advertisement was published in THE TOWSON The Zoning Commissioner of Bal-timers County, by authority of the Zening Act and Regulations of Bal-timers County, will hold a public hearing: THIS IS TO CERTIFY, that the annexed advertisement was TIMES, a weekly newspaper distributed in The Zoning Commissioner of Baltimore Country, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public October 13, 1983 published in THE JEFFERSONIAN, a weekly newspaper printed Petition for Variance to permit side and/or rear yard setbacks of 20 ft. in lieu of the required 50 ft.

The Zaming Regulation to be excepted as follows:

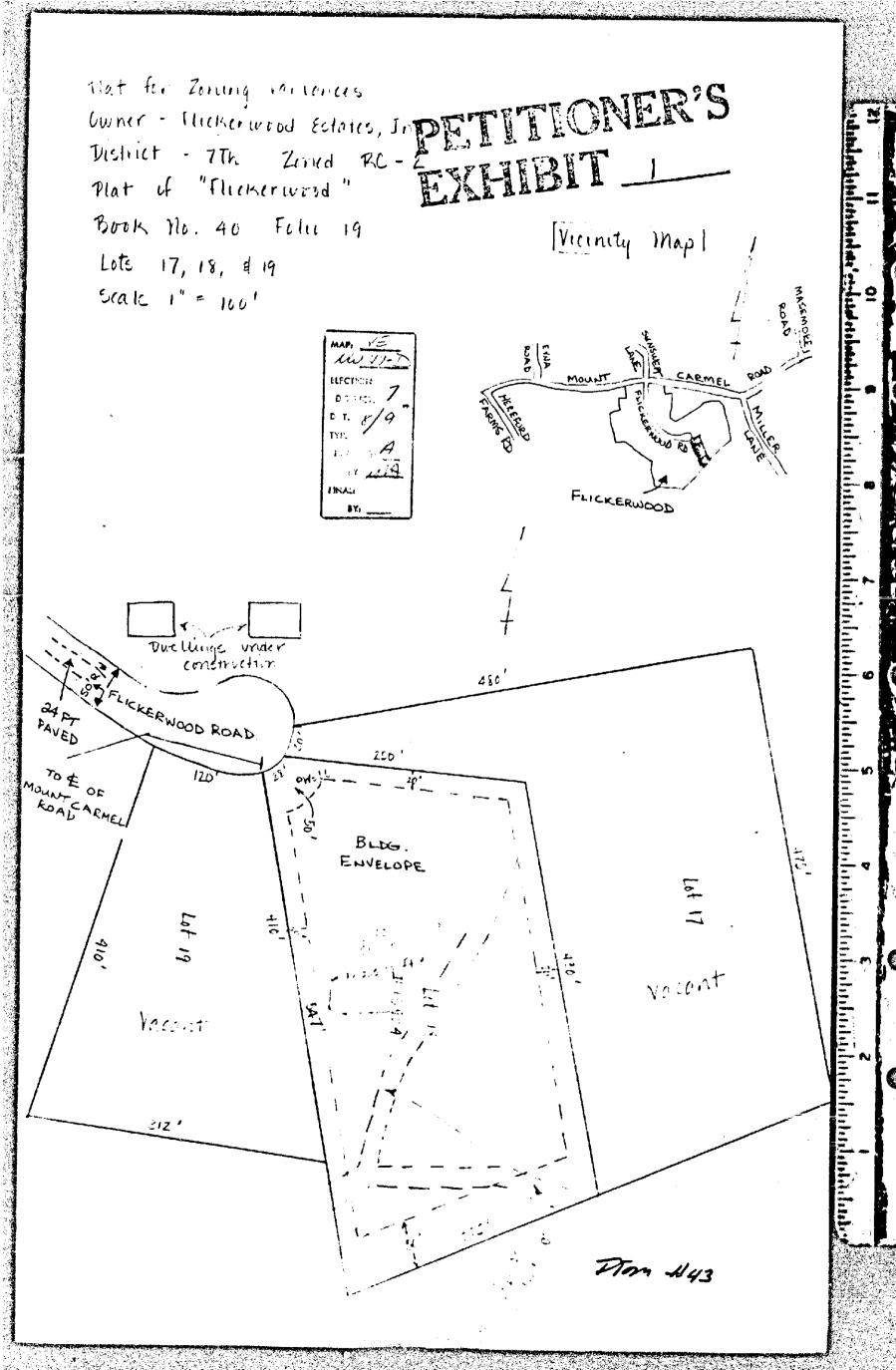
Section 103 \$ (1A00.3B.3)—side and rear yard setbacks in R.C. \$ (R.D. P.) sorie. hearing: Petition for Variance to permit side and/or rear yeard settlectes of 20 R. in lieu of required 50 R. The Zoning Regulation to be excepted as Towson, Baltimore County, Md., once a week for \_\_\_\_\_ successive weeks, tollows: Section 103.3 (1A00.38.3) - side and reer yard setbacks in A.C. 2 (R.D.P.) zone All that parcel of land in the Seventh District of Electromic Committees of one time \_\_\_xuccessive oreals before the \_\_20th\_\_\_\_ Mr. & Mrs. Charles M. Famula of Baltimore County In Several Decret
of Baltimore County
Beginning on the south-east side of Flickerwood Road (50 feet wide) at the distance of
1,860 feet south of the centerline of Mount
Carmel Road. Being tot 18 in the plat of
Flickerwood. Book No. 40 Folio 19 Also
known as 16904 Flickerwood Road in the 7th
Election District. the first publication appearing on the P.) sofe
All that parcel of land in the Seventh District of Builtmore County
Beginning on the southeast side of Flickerwood Road (50 feet wide) at the distance of 5,850 feet south of the centerjine of Mount Carmel 44 Kettle Court day of \_\_\_\_\_\_\_ Settl Oct.\_\_, 19\_83\_\_, the xfirst publication Baltimore, Maryland 21207 28th day of Sept. 1983. appearing on the \_29th \_\_\_\_ day of \_\_\_\_\_September\_ Re: Petition for Variance at the distance of 1,850 feet south
of the centerline of Mount Carmel
Road. Being lot 18 in the plat of
Flickerwood, Book No. 40 Folio 19.
Also known as 18304 Flickerwood
Road in the 7th Election District.
Being the property of Charles M.
Famula, et ux, as shown on plat
plan flied with the Zoning Department Election Destrict.

Being the property of Charles M. Famula, et ux, as shown on plat plan filed with the Zoning Department. In the swent that this Patition is granted, a building permit may be issued within the thinty (30) day appeal period. The Zoning Commissioner will, however, crientian any request for a stay of the insuance of said parmit during the period for good cause shown. Such request must be received in writing by the date of the hearing, set above or made at the hearing. SE/S Flickerwood Road, 1,860' S of THE TOWSON TIMES c/l of Mt. Carmel Road Case no. 84-107-A M 6 Angelella Cost of Advertisement, \$ 27.36 In the event that this Petition is Dear Mr. & Mrs. Famula: In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of BY OPDER OF ARNOLD JABLON 20NING COMMISSIONER OF 48708-L53600 BALTIMORE COUNTY This is to advise you that \_\$58.36 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. Cost of Advertisement, \$ 21.00 Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, By Order of ARNOLD JABLON, Zoning Commissioner of Bailimore County Bept. 29. Towson, Maryland 21204, before the hearing. CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY ARNOLD JABLON 84-107-A ng Commissioner No. 122910 BALTIMORE COUNTY, MARYLAND Date of Posting Databas 3, 1983 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT Petitioner: Charles M. Famulos et ux SCOUNT R-01-615-000 Location of property: SE/S of Flickserwood Road, 1,860'S of the Location of Signs: Loign Steferide of Flickerwood Pord Africa. 1870'

South of Mit. Cornel Roda I Kature sign SE Corner of Mount Carmel

Remarks: and Flickerwood Pords RECEIVED Charles M. Farrula FROM: Advertising & Parting Case #84-107-A 6 053\*\*\*\*\*5836:0 9205A



result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

September 1, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

Item No. (43) 44, 45, 46, 47, and 48 ZAC - Meeting of August 16, 1983 Property Owner: Location: Existing Zoning: Proposed Zoning:

District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 43, 44, 45, 46, 47, 48.

Traffic Engineer Assoc. II

MSF/ccm

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO Nicholas Commadari, Zoning Date September 21, 1983 FROM C. E. Burnham, Bldg. Plans Review CEB SUBJECT Zoning Advisory Committee
Meeting August 16, 1983

Item #43

Zoning Item # <u>73</u> Page 2

( ) Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.

(X) Soil percolation tests have been conducted. The results are valid until

Revised plans must be submitted prior to approval of the percolation

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BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 15, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: August 16, 1983

RE: Item No: (43) 44, 45, 46, 47, & 48
Property Owner: Present Zoning:

District: No. Acres:

Dear Mr. Hammond:

The above referenced item numbers have no bearing on student population.

Very truly yours) Wm. Nick Petrovich, Assistant Department of Planning

Case No. 84-107-A

IN RE: PETITION ZONING VARIANCES SE/S of Flickerwood Road. 1,860' S of the centerline ZONING COMMISSIONER of Mt. Carmel Road - 7th Election District OF BALTIMORE COUNTY

Charles M. Famula, et ux,

Petitioners # \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF ACT AND CONCLUSIONS OF LAW

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-cpt. 9,1983

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 43, Zoning Advisory Committee Meeting of Aug. 16, 1983 Property Owner: Charles M. + Ruth P. Famula

Location: SE/s Flickerwood Road District 7

Water Supply \_\_\_\_\_ Sewage Disposal \_\_\_\_\_ Private\_\_\_\_

COMMENTS ARE AS FOLLOWS: ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

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( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

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> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

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It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations,

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- 2 -

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September 23, 1983 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON MARY AND COOK PETITION FOR VARIANCE Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, 7th Election District Mr. & Mrs. Charles M. Famula this \_\_\_\_\_ day of October, 1983, that the Petition for Variances to per-44 Kettle Court Petition for Variance ZONING: Baltimore, Maryland 21207 mit a side yard setback of 20 feet and, if necessary, a rear yard setback of ARNOLD JABLON ZONING COMMISSIONER October 24, 1983 LOCATION: Southeast side Flickerwood Road, 1,860 ft. South of NOTICE OF HEARING 20 feet, both in lieu of the required 50 feet be and is hereby GRANTED, from centerline of Mount Carmel Road Re: Petition for Variance and after the date of this Order, subject, however, to the following restric-SE/S Flickerwood Rd., 1,860' S of DATE & TIME: Thursday. October 20, 1983 at 10:00 A.M. the c/l of Mt. Carmel Road Charles M. Famula, et ux - Petitioners PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Case No. 84-107-A 1. The Petitioners may apply for their building Avenue, Towson, Maryland permit, and be granted same upon receipt of this Order: however, Petitioners are hereby made aware Mr. & Mrs. Charles M. Famula TIME: 10:00 A.M. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act 44 Kettle Court that their proceeding at this time is at their own and Regulations of Baltimore County, will hold a public hearing: Baltimore, Maryland 21207 risk until such time as the appellate process from DATE: Thursday, October 20, 1983 this Order has expired. If, for whatever reason, IN RE: Petition Zoning Variances this Order is reversed, the Petitioners would be Petition for Variance to permit side and/or rear yard setbacks SE/S of Flickerwood Road, 1,860' PLACE: Room 106, County Office Building, 111 West Chesapeake required to return, and be responsible for of 20 ft. in lieu of the required 50 ft. S of the centerline of Mt. Carreturning, said property to its original mel Road - 7th Election District The Zoning Regulation to be excepted as follows: Avenue, Towson, Maryland Charles M. Famula, et ux, Section 103.3 (1A00.3B.3) - side and rear yard setbacks in R.C. 2 (R.D.P.) zone Petitioners 2. A revised site plan, showing the proposed house with Case No. 84-107-A specified setbacks, shall be submitted for approval All that parcel of land in the Seventh District of Baltimore County to the Office of Planning and Zoning. Dear Mr. & Mrs. Famula: I have this date passed my Order in the above-referenced matter in accordance with the attached. ARNOLD JARLON Zoning Commissioner of Baltimore County Attachments BALTIMORE COUNTY, MARYLAND No. 119437 OFFICE OF FINANCE - REVENUE DIVISION Being the property of Charles M. Famula, et ux, as shown on plat plan filed with cc: John W. Hessian, III, Esquire MISCELLANEOUS CASH RECEIPT the Zoning Department. People's Counsel DATE 6-1-82 ACCOUNT 1-01-615-600 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. FOR The Coch it day Ford BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER - C 115\*\*\*\*\*350CID 8028A OF BALTIMORE COUNTY - 3 -VALIDATION OR SIGNATURE OF CASHIER L53999 p.67 CATTFICATE OF PUBLICATION PETITION FOR VARIANCE BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
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The Zaming Regulation to be excepted as follows:

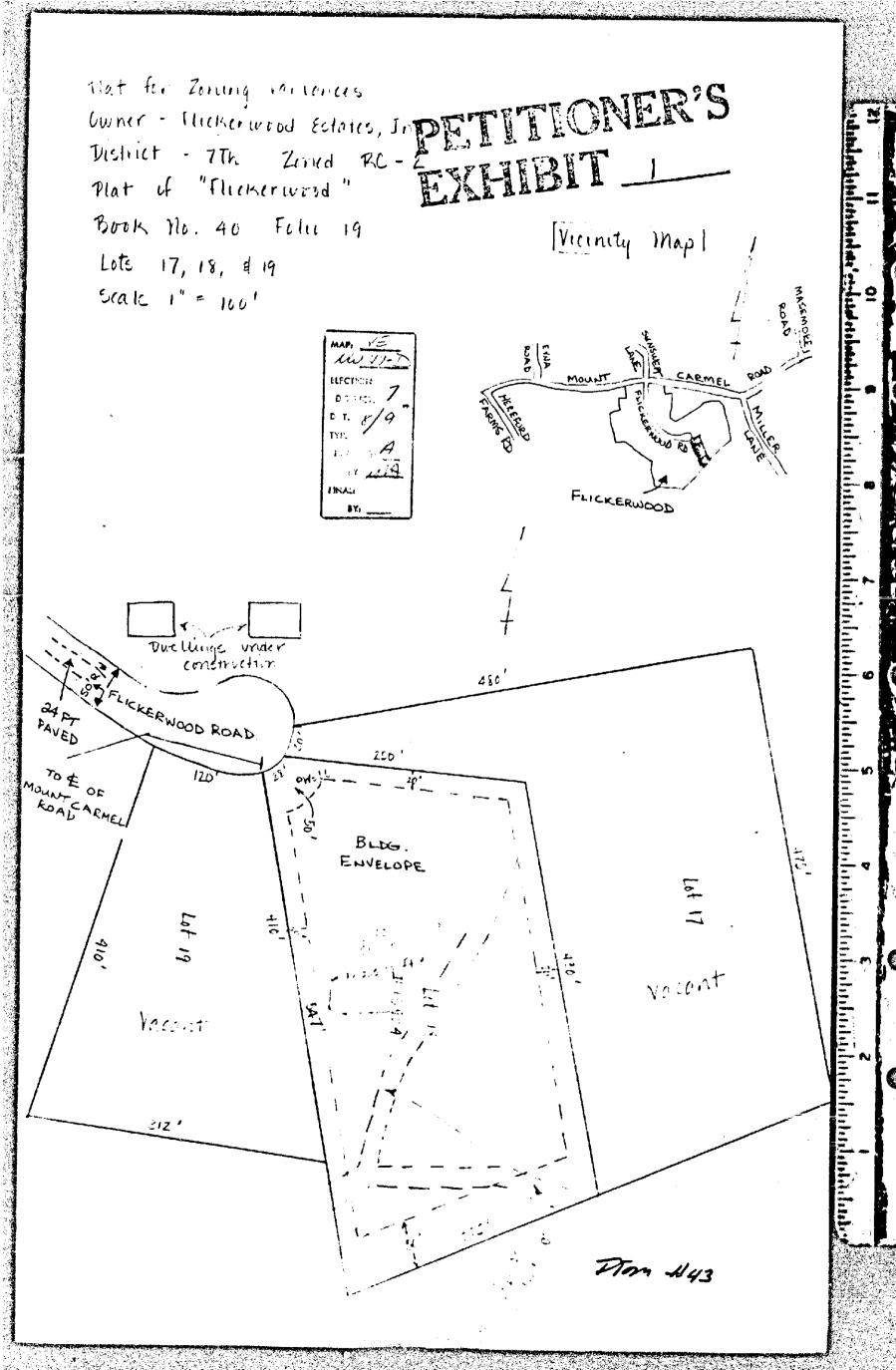
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Beginning on the south-east side of Flickerwood Road (50 feet wide) at the distance of
1,860 feet south of the centerline of Mount
Carmel Road. Being tot 18 in the plat of
Flickerwood. Book No. 40 Folio 19 Also
known as 16904 Flickerwood Road in the 7th
Election District. the first publication appearing on the P.) sofe
All that parcel of land in the Seventh District of Builtmore County
Beginning on the southeast side of Flickerwood Road (50 feet wide) at the distance of 5,850 feet south of the centerjine of Mount Carmel 44 Kettle Court day of \_\_\_\_\_\_\_ Settl Oct.\_\_, 19\_83\_\_, the xfirst publication Baltimore, Maryland 21207 28th day of Sept. 1983. appearing on the \_29th \_\_\_\_ day of \_\_\_\_\_September\_ Re: Petition for Variance at the distance of 1,850 feet south
of the centerline of Mount Carmel
Road. Being lot 18 in the plat of
Flickerwood, Book No. 40 Folio 19.
Also known as 18304 Flickerwood
Road in the 7th Election District.
Being the property of Charles M.
Famula, et ux, as shown on plat
plan flied with the Zoning Department Election Destrict.

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By Order of BY OPDER OF ARNOLD JABLON 20NING COMMISSIONER OF 48708-L53600 BALTIMORE COUNTY This is to advise you that \_\$58.36 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. Cost of Advertisement, \$ 21.00 Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, By Order of ARNOLD JABLON, Zoning Commissioner of Bailimore County Bept. 29. Towson, Maryland 21204, before the hearing. CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY ARNOLD JABLON 84-107-A ng Commissioner No. 122910 BALTIMORE COUNTY, MARYLAND Date of Posting Databas 3, 1983 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT Petitioner: Charles M. Famulos et ux SCOUNT R-01-615-000 Location of property: SE/S of Flickserwood Road, 1,860'S of the Location of Signs: Loign Steferide of Flickerwood Pord Africa. 1870'

South of Mit. Cornel Roda I Kature sign SE Corner of Mount Carmel

Remarks: and Flickerwood Pords RECEIVED Charles M. Farrula FROM: Advertising & Parting Case #84-107-A 6 053\*\*\*\*\*5836:0 9205A



I You # 43 PETITI( N FOR ZONING VARIANCE 8H-107-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a SE/S Flickerwood Rd., 1,860' S of the Centerline of Mount Carmel Rd. : OF BALTIMORE COUNTY Variance from Section \_\_103.3 (1A00.3B.3) to permit side and/or rear yard setbacks 7th District of 20 ft. in lieu of the required 50 ft. CHARLES M. FAMULA, et ux, ZONING DESCRIPTION Beginning on the south-east side of Flickerwood Road (50 feet wide) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) ::::::: at the distance of 1,860 feet south of the centerline of Mount Carmel Road. Being lot 18 in the plat of Flickerwood. Book No. 40 Folio 19. Also known as 16904 Flickerwood Road in the 7th Election District. BALTIMORE COUNTY ORDER TO ENTER APPEARANCE 1) the topography of lot 18 and the surrounding area the overall flood plan of the area Mr. Commissioner: drainage and utilities easement running through lot 18 avoid grading and possible erosion around foundation of dwelling Pursuant to the authority contained in Section 524.1 of the Baltimore County 5) others to be stated at time of hearing ZONING PLANS Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. and of the passage of any preliminary or final Order in connection therewith. ADVISORY COMMITTEE I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property Peter May Tenmer Peter Max Zimmerman which is the subject of this Petition. John W. Hessian, III Deputy People's Counsel People's Counsel for Baltimore County Contract Purchaser: Legal Owner(s): Rm. 223, Court House MAPI XC Charles M. Famula Towson, Maryland 21204 (Type or Print Name) 494-2188 I HEREBY CERTIFY that on this 3rd day of October, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles M. Famula, 44 Kettle Court, Baltimore, MD Ruth P. Famula (Type or Print Name) 21207, Petitioners. tamuli Attorney for Petitioner John W. Hessian, III Baltimore, Maryland PETITION AND SITE PLAN Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.: EVALUATION COMMENTS ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_16th\_\_\_\_\_ day of August 19.83, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of October , 19 83, at 10:00 o'clock \_\_A\_M. Zoning Commissioner of Baltimore County. BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE Arnold Jablon Zoning Commissioner Harry J. Pistel, P. E. Director October 7, 1983 October 14, 1983 Norman E. Gerber, Director September 15, 1983 Office of Planning and Zoning COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. & Mrs. Charles M. Famula Mr. & Mrs. Charles M. Famula 44 Kettle Court Charles M. Famula Baltimore, Maryland 21207 Mr. Armold Jablon 44 Kettle Court 84-107-A Baltimore, Md. 21207 Zoning Commissioner SUBJECT\_ County Office Building Nicholas B. Commodari Towson, Maryland 21204 Chairman RE: Item No. 43 - Case No. 84-107-A Petitioner - Charles M. Famula, et ux Re: Item #43 (1983-1984) Property Owner: Charles M. & Ruth P. Famula There are no comprehensive planning factors requiring comment MEMBERS Variance Petition S/ES Flickerwood Rd., 1860' S. from centerline BALTIMORE COUNTY OFFICE OF PLANNING & ZONING on this petition. Bureau of Dear Mr. & Mrs. Famula: Engineering Mt. Carmel Rd. County Office Building The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure regard to the development plans or problems with this case. The Director of Planning may file a written as to the suitability of the requested zoning. Acres: 250/275 X 424/430 Department of 111 W. Chesapeake Avenue Towson, Maryland 21204 Traffic Engineering District: 7th State Roads Commiss: Dear Mr. Jablon: Bureau of \_\_\_\_\_ Fire Prevention Your petition has been received and accepted for filing this The following comments are furnished in regard to the plat submitted to this 16th day of August, 1983 Director of Planning and Zoning office for review by the Zoning Advisory Committee in connection with the subject Health Department NEG:JGH:cav Project Planning Building Department General: Board of Education Enclosed are all comments submitted from the members of the Committee at this time that offer or request infor-Baltimore County highway and utility improvements are not directly involved Zoning Administration and are as secured by Public Works Agreement 77606, executed in conjunction with the development of Flickerwood, of which this property is a part. mation on your petition. If similar comments from the remaining members are received, I will forward them to you. placed in the hearing file. This petition was accepted for hearing scheduled accordingly. Industrial Development Zoning Commissioner Development of this property through stripping, grading and stabilization Petitioner Charles M. Famula could result in a sediment pollution problem, damaging private and public holdings Petitioner's downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. Chairman, Zoning Plans Advisory Committee The Petitioner must provide necessary drainage facilities (temporary or Very truly yours. permanent) to prevent creating any nuisances or damages to adjacent properties, Nicheles B. Comundari Loe especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. NICHOLAS B. COMMODARI Chairman This office has no further comment in regard to the plan submitted for Zoning Plans Advisory Committee Zoning Advisory Committee review in connection with this Item 43 (1983-1004). NBC:bsc Enclosures HI!-SW Key Sheet 106 & 107 NW 14 & 15 Pos. Sheets NW 27 D Topo 21 Tax Map

result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

September 1, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

Item No. (43) 44, 45, 46, 47, and 48 ZAC - Meeting of August 16, 1983 Property Owner: Location: Existing Zoning: Proposed Zoning:

District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 43, 44, 45, 46, 47, 48.

Traffic Engineer Assoc. II

MSF/ccm

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO Nicholas Commadari, Zoning Date September 21, 1983 FROM C. E. Burnham, Bldg. Plans Review CEB SUBJECT Zoning Advisory Committee
Meeting August 16, 1983

Item #43

Zoning Item # <u>73</u> Page 2

( ) Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.

(X) Soil percolation tests have been conducted. The results are valid until

Revised plans must be submitted prior to approval of the percolation

 ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 (X) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

x) shall be valid until <u>Sert 7 1985</u>
is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit

( ) All roads and parking areas should be surfaced with a dustless, bonding

( ) No health hazards are anticipated.

(x) Others The results of the scil periodation tests conducted on this lot have expired. Price to approval of a Building Permit, additional tecting will be required. The lot is vacant at this time.

BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 15, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: August 16, 1983

RE: Item No: (43) 44, 45, 46, 47, & 48
Property Owner: Present Zoning:

District: No. Acres:

Dear Mr. Hammond:

The above referenced item numbers have no bearing on student population.

Very truly yours) Wm. Nick Petrovich, Assistant Department of Planning

Case No. 84-107-A

IN RE: PETITION ZONING VARIANCES SE/S of Flickerwood Road. 1,860' S of the centerline ZONING COMMISSIONER of Mt. Carmel Road - 7th Election District OF BALTIMORE COUNTY

Charles M. Famula, et ux,

Petitioners # \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF ACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit side and/or rear yard setbacks of 20 feet instead of the required 50 feet. The purpose of their request is to build a new home on the subject property, as more fully described on Petitioners' Exhibit 1.

Petitioner Charles M. Famula appeared and testified. No Protestants appeared. Testimony indicated, and was uncontested, that the property is zoned R.C.2. The Petitioners purchased the property in 1982 and need to obtain variances due to the odd shape of the parcel, as is more fully described on Petitioners' Exhibit 1. The house the Petitioners intend to build, and in which they will reside, would require 20-foot side and/or rear yard setbacks. Although they can build a home which will comply with requisite zoning dimensions, the Petitioner testified that to the shape and topography, the variances are required. A smaller home apparent fwould not complement or be in harmony with the neighborhood or satisfy the need of the Petitioners' family.

The topography of the parcel, which slopes from front to back at a 25° angle and pre, the overall flood plain of the area, the drainage and utilities easement runhang through the parcel, and the placement of the septic system, all mitigate inst placement of the house other than where the Petitioners intend, which is ward the front of the property.

-cpt. 9,1983

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 43, Zoning Advisory Committee Meeting of Aug. 16, 1983 Property Owner: Charles M. + Ruth P. Famula

Location: SE/s Flickerwood Road District 7

Water Supply \_\_\_\_\_ Sewage Disposal \_\_\_\_\_ Private\_\_\_\_

COMMENTS ARE AS FOLLOWS: ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins.

( ) A rermit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Section, Environmental Support Services, for final review and approval.

( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information. contact the Recreational Hygiene Section, Division of Environmental Support

( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Other homes in the area have received similar variances for similar reasons.

The Petitioners seek relief from Section 103.3 (1A00.3B.3.), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficul-

ty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

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It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations,

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- 2 -

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September 23, 1983 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
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The Zaming Regulation to be excepted as follows:

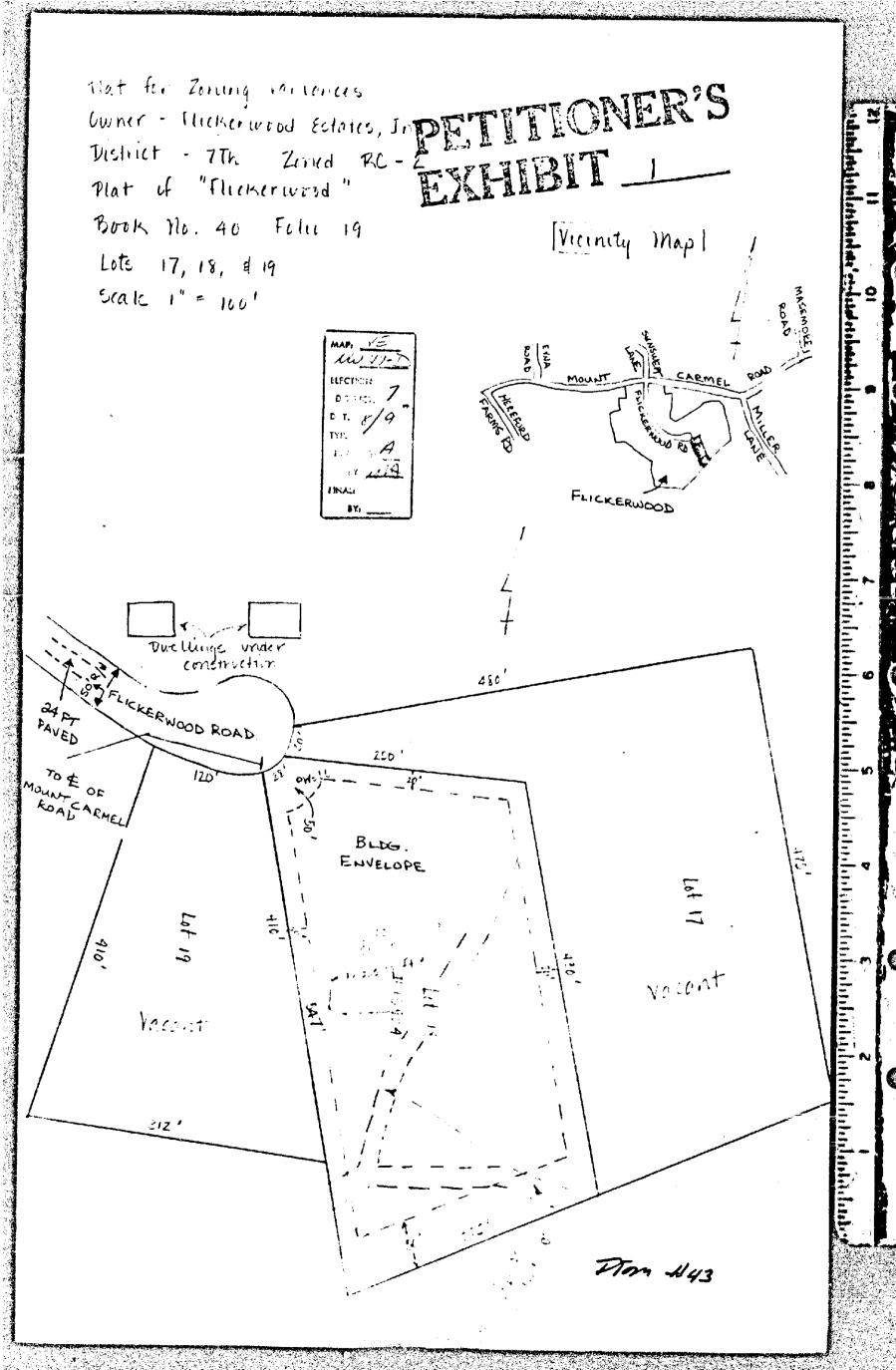
Section 103 \$ (1A00.3B.3)—side and rear yard setbacks in R.C. \$ (R.D. P.) sorie. hearing: Petition for Variance to permit side and/or rear yeard settlectes of 20 R. in lieu of required 50 R. The Zoning Regulation to be excepted as Towson, Baltimore County, Md., once a week for \_\_\_\_\_ successive weeks, tollows: Section 103.3 (1A00.38.3) - side and reer yard setbacks in A.C. 2 (R.D.P.) zone All that parcel of land in the Seventh District of Electromic Committees. of one time \_\_\_xuccessive oreals before the \_\_20th\_\_\_\_ Mr. & Mrs. Charles M. Famula of Baltimore County In Several Decret
of Baltimore County
Beginning on the south-east side of Flickerwood Road (50 feet wide) at the distance of
1,860 feet south of the centerline of Mount
Carmel Road. Being tot 18 in the plat of
Flickerwood. Book No. 40 Folio 19 Also
known as 16904 Flickerwood Road in the 7th
Election District. the first publication appearing on the P.) sofe
All that parcel of land in the Seventh District of Builtmore County
Beginning on the southeast side of Flickerwood Road (50 feet wide) at the distance of 5,850 feet south of the centerjine of Mount Carmel 44 Kettle Court day of \_\_\_\_\_\_\_ Settl Oct.\_\_, 19\_83\_\_, the xfirst publication Baltimore, Maryland 21207 28th day of Sept. 1983. appearing on the \_29th \_\_\_\_ day of \_\_\_\_\_September\_ Re: Petition for Variance at the distance of 1,850 feet south
of the centerline of Mount Carmel
Road. Being lot 18 in the plat of
Flickerwood, Book No. 40 Folio 19.
Also known as 18304 Flickerwood
Road in the 7th Election District.
Being the property of Charles M.
Famula, et ux, as shown on plat
plan flied with the Zoning Department Election Destrict.

Being the property of Charles M. Famula, et ux, as shown on plat plan filed with the Zoning Department. In the swent that this Patition is granted, a building permit may be issued within the thinty (30) day appeal period. The Zoning Commissioner will, however, crientian any request for a stay of the insuance of said parmit during the period for good cause shown. Such request must be received in writing by the date of the hearing, set above or made at the hearing. SE/S Flickerwood Road, 1,860' S of THE TOWSON TIMES c/l of Mt. Carmel Road Case no. 84-107-A M 6 Angelella Cost of Advertisement, \$ 27.36 In the event that this Petition is Dear Mr. & Mrs. Famula: In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of BY OPDER OF ARNOLD JABLON 20NING COMMISSIONER OF 48708-L53600 BALTIMORE COUNTY This is to advise you that \_\$58.36 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. Cost of Advertisement, \$ 21.00 Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, By Order of ARNOLD JABLON, Zoning Commissioner of Bailimore County Bept. 29. Towson, Maryland 21204, before the hearing. CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY ARNOLD JABLON 84-107-A ng Commissioner No. 122910 BALTIMORE COUNTY, MARYLAND Date of Posting Databas 3, 1983 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT Petitioner: Charles M. Famulos et ux SCOUNT R-01-615-000 Location of property: SE/S of Flickserwood Road, 1,860'S of the Location of Signs: Loign Steferide of Flickerwood Pord Africa. 1870'

South of Mit. Cornel Roda I Kature sign SE Corner of Mount Carmel

Remarks: and Flickerwood Pords RECEIVED Charles M. Farrula FROM: Advertising & Parting Case #84-107-A 6 053\*\*\*\*\*5836:0 9205A



I You # 43 PETITI( N FOR ZONING VARIANCE 8H-107-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a SE/S Flickerwood Rd., 1,860' S of the Centerline of Mount Carmel Rd. : OF BALTIMORE COUNTY Variance from Section \_\_103.3 (1A00.3B.3) to permit side and/or rear yard setbacks 7th District of 20 ft. in lieu of the required 50 ft. CHARLES M. FAMULA, et ux, ZONING DESCRIPTION Beginning on the south-east side of Flickerwood Road (50 feet wide) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) ::::::: at the distance of 1,860 feet south of the centerline of Mount Carmel Road. Being lot 18 in the plat of Flickerwood. Book No. 40 Folio 19. Also known as 16904 Flickerwood Road in the 7th Election District. BALTIMORE COUNTY ORDER TO ENTER APPEARANCE 1) the topography of lot 18 and the surrounding area the overall flood plan of the area Mr. Commissioner: drainage and utilities easement running through lot 18 avoid grading and possible erosion around foundation of dwelling Pursuant to the authority contained in Section 524.1 of the Baltimore County 5) others to be stated at time of hearing ZONING PLANS Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. and of the passage of any preliminary or final Order in connection therewith. ADVISORY COMMITTEE I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property Peter May Tenmer Peter Max Zimmerman which is the subject of this Petition. John W. Hessian, III Deputy People's Counsel People's Counsel for Baltimore County Contract Purchaser: Legal Owner(s): Rm. 223, Court House MAPI XC Charles M. Famula Towson, Maryland 21204 (Type or Print Name) 494-2188 I HEREBY CERTIFY that on this 3rd day of October, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles M. Famula, 44 Kettle Court, Baltimore, MD Ruth P. Famula (Type or Print Name) 21207, Petitioners. tamuli Attorney for Petitioner John W. Hessian, III Baltimore, Maryland PETITION AND SITE PLAN Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.: EVALUATION COMMENTS ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_16th\_\_\_\_\_ day of August 19.83, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of October , 19 83, at 10:00 o'clock \_\_A\_M. Zoning Commissioner of Baltimore County. BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE Arnold Jablon Zoning Commissioner Harry J. Pistel, P. E. Director October 7, 1983 October 14, 1983 Norman E. Gerber, Director September 15, 1983 Office of Planning and Zoning COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. & Mrs. Charles M. Famula Mr. & Mrs. Charles M. Famula 44 Kettle Court Charles M. Famula Baltimore, Maryland 21207 Mr. Armold Jablon 44 Kettle Court 84-107-A Baltimore, Md. 21207 Zoning Commissioner SUBJECT\_ County Office Building Nicholas B. Commodari Towson, Maryland 21204 Chairman RE: Item No. 43 - Case No. 84-107-A Petitioner - Charles M. Famula, et ux Re: Item #43 (1983-1984) Property Owner: Charles M. & Ruth P. Famula There are no comprehensive planning factors requiring comment MEMBERS Variance Petition S/ES Flickerwood Rd., 1860' S. from centerline BALTIMORE COUNTY OFFICE OF PLANNING & ZONING on this petition. Bureau of Dear Mr. & Mrs. Famula: Engineering Mt. Carmel Rd. County Office Building The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure regard to the development plans or problems with this case. The Director of Planning may file a written as to the suitability of the requested zoning. Acres: 250/275 X 424/430 Department of 111 W. Chesapeake Avenue Towson, Maryland 21204 Traffic Engineering District: 7th State Roads Commiss: Dear Mr. Jablon: Bureau of \_\_\_\_\_ Fire Prevention Your petition has been received and accepted for filing this The following comments are furnished in regard to the plat submitted to this 16th day of August, 1983 Director of Planning and Zoning office for review by the Zoning Advisory Committee in connection with the subject Health Department NEG:JGH:cav Project Planning Building Department General: Board of Education Enclosed are all comments submitted from the members of the Committee at this time that offer or request infor-Baltimore County highway and utility improvements are not directly involved Zoning Administration and are as secured by Public Works Agreement 77606, executed in conjunction with the development of Flickerwood, of which this property is a part. mation on your petition. If similar comments from the remaining members are received, I will forward them to you. placed in the hearing file. This petition was accepted for hearing scheduled accordingly. Industrial Development Zoning Commissioner Development of this property through stripping, grading and stabilization Petitioner Charles M. Famula could result in a sediment pollution problem, damaging private and public holdings Petitioner's downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. Chairman, Zoning Plans Advisory Committee The Petitioner must provide necessary drainage facilities (temporary or Very truly yours. permanent) to prevent creating any nuisances or damages to adjacent properties, Nicheles B. Comundari Loe especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. NICHOLAS B. COMMODARI Chairman This office has no further comment in regard to the plan submitted for Zoning Plans Advisory Committee Zoning Advisory Committee review in connection with this Item 43 (1983-1004). NBC:bsc Enclosures HI!-SW Key Sheet 106 & 107 NW 14 & 15 Pos. Sheets NW 27 D Topo 21 Tax Map